THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No.12476 of 2006

DATED:22.06.2006

Between:
Sri Baka Mani and others

.. PETITIONERS

AND

The Executive Officer, Tirumala, Tirupathi Devastanams,
Administrative Building, K.T.Road, Tirupati.

.. RESPONDENT

THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No.12476 of 2006

ORDER:

The petitioners claim to be the legal representatives of persons to whom land was given by the Tirumala Tirupathi Devasthanams (TTD) in an extent of Acs.8.00 in survey No.58/1 vide proceedings, dated 08.06.1993. There is now a dispute, according to the petitioners, between the TTD and the petitioners as to the extent and location of the land and in the context of the Tirupati Urban Development Authority trying to lay a road across the land. In this connection, the petitioners represented to the respondent to come forward to participate in a joint survey of the lands. The respondent has not responded and cooperated with the petitioners for the joint survey.

The petitioners are thus before this Court to mandamise the respondent to participate in a joint survey.

Such disputes with regard to the identification, location or sharing of properties between the petitioners as per their claim and the respondent as per the petitioners' assertion are not amenable to public law adjudication under Article 226 of the Constitution of India. The petitioners have a plenitude of remedies including before a civil Court of a competent jurisdiction within ten kilometers of the petitioners' habitat. Therefore, there is neither a legal nor strategic justification for the petitioners to travel all the way to Hyderabad to recourse their remedy under Article 226 of the Constitution of India. There is also no statutory obligation of the respondent that has been avoided by the respondent. There are no merits in the writ petition.

The Writ Petition is dismissed at the stage of admission, after

hearing the learned counsel for the respondent. No costs.

GODA RAGHURAM, J

Dated:22.06.2006
GJ